IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 30TH MAY 2007 / 9TH JYAISHTA 1929

Bail Appl..No. 3294 of 2007()

C.C.NO. 60 OF 1996 OF J.F.C.M. PONNANI

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PETITIONER/ACCUSED :

PUTHIYAKATH ABDUL SATHAR,
S/O. P.A. MUHAMMED, PUTHIYAKATH HOUSE,
P.O. AKALAD, THRISSUR DISTRICT

BY ADV. SRI.P.RAMACHANDRAN

RESPONDENTS:

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1. UMMER, S/O. ABOOBACKER, VADASSERY HOUSE,
VELIYAMCODU, MALAPPURAM DISTRICT

2. THE STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM

BY PUBLIC PROSECUTOR SRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 3294 of 2007

DATED: 30-05-2007

O R D E R

Petitioner who is the accused in C.C. No. 60 of 1996 on the file of the J.F.C.M., Ponnani for offences punishable under Section 138 of the N.I. Act, seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.C. No. 60 of 1996 on the file of the J.F.C.M., Ponnani, the case against the petitioner has been transferred to the Long Pending Case Register as L.P. Case No.102/2001. Admittedly, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same day on which it is filed after considering the explanation offered by the petitioner for his previous non-appearance and also bearing in mind that the offence is bailable offence.

With the above observation this application is disposed of .

V.RAMKUMAR, JUDGE.

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